

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

<b>JOHN HARVEY SCHNEIDER,</b>	§	
<b>INDIVIDUALLY AND ON</b>	§	
<b>BEHALF OF ALL OTHER</b>	§	
<b>SIMILARLY SITUATED, et al.,</b>	§	<b>No. 1:22-CV-00398-DAE</b>
<i>Plaintiffs</i>	§	
	§	
<b>v.</b>	§	
	§	
<b>NATERA, INC., et al.,</b>	§	
<i>Defendants</i>	§	

**SCHEDULING ORDER**

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following Scheduling Order:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by July 31, 2024.
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by August 1, 2024, and each opposing party shall respond, in writing, by August 15, 2024.
3. Completion of parties' Rule 26(f) conference: January 3, 2024.
4. Deadline to exchange initial disclosures: January 24, 2024.
5. Deadline for Plaintiffs' motion for class certification and for Plaintiffs' expert report on class certification: June 4, 2024.

6. Deadline for Defendants' opposition to class certification and for Defendants' rebuttal expert report on class certification following deposition of Plaintiffs and Plaintiffs' expert: July 19, 2024.

7. Deadline for substantial completion of document production regarding class certification and targeted merits discovery: July 1, 2024.

8. Deadline for Plaintiffs' reply in support of class certification and for Plaintiffs' reply expert report on class certification following deposition of Defendants' expert: August 30, 2024.

9. Deadline for substantial completion of document production: 90 days after the Court's decision on motion for class certification.<sup>1</sup>

10. Deadline to amend pleadings and add new parties: 60 days before close of fact discovery.

11. Deadline for interrogatories: 35 days before close of fact discovery.

12. Completion of fact discovery: 150 days after document production deadline. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

13. Plaintiffs' deadline to designate opening experts and serve materials required by FRCP 26(a)(2)(B): 45 days after close of fact discovery.

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<sup>1</sup> Once the Court rules on Plaintiffs' forthcoming motion for class certification, the parties will be able to determine exact dates for the deadlines set out in paragraphs 9-18 of this order. As noted below, the Court orders the parties to file a revised scheduling order substituting exact dates for the deadlines in these paragraphs, once they can be determined.

14. Defendants' deadline to designate responsive experts and serve materials required by FRCP 26(a)(2)(B): 45 days after Plaintiffs' deadline regarding opening experts.

15. Plaintiffs' deadline to designate rebuttal experts and serve materials required by FRCP 26(a)(2)(B): 30 days after Defendants' deadline regarding responsive experts.

16. Completion of expert discovery: 30 days after Plaintiffs' deadline regarding rebuttal experts.

17. Objections to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within 45 days after the close of expert discovery. Oppositions to Rule 702 motions shall be due within 45 days of the filing of the motion. Replies in support of the Rule 702 motion shall be filed within 30 days of the filing of the opposition.

18. All dispositive motions shall be filed within 45 days after the close of expert discovery. Oppositions to dispositive motions shall be due within 45 days of the filing of the motion. Replies in support of dispositive motions shall be filed within 30 days of the filing of the opposition. Dispositive motions as defined in Local Rule CV-7(c) and responses to dispositive motions shall be limited to 20 pages in length. Replies, if any, shall be limited to 10 pages in length in accordance with Local Rule CV-7(e). **If the parties elect not to file dispositive motions, they must contact the courtroom deputy on or before this deadline in order to set a trial date.**

19. The hearing on dispositive motions will be set by the Court after all responses and replies have been filed.

20. The trial date will be determined at a later date by the Court. The parties shall consult Local Rule CV-16(f)-(g) regarding matters to be filed in advance of trial. At the time the trial date is set, the Court will also set the deadline for the filing of matters in advance of trial.

Lastly, the Court **ORDERS** the parties to file a revised scheduling order substituting exact dates for the deadlines set out in paragraphs 9-18 of this order within 2 weeks of the Court's ruling on Plaintiffs' forthcoming motion for class certification.

SIGNED February 29, 2024.



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DUSTIN M. HOWELL  
UNITED STATES MAGISTRATE JUDGE